

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America

v.

Milton Raul GUEVARA-Cruz

Defendant(s)

Case No.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 21, 2025 in the county of Franklin in the Southern District of Ohio, the defendant(s) violated:

Code Section

8 U.S.C. §§ 1326(a)(1) and (b)(1)

Offense Description

Illegal reentry of an alien removed subsequent to a felony conviction

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

PAUL S MILLS

Digitally signed by PAUL S MILLS  
Date: 2025.03.06 10:05:16 -05'00'

Complainant's signature

Paul Mills, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

VIA FACE TIME VIDEO  
3/6/2025

City and state:

Columbus, Ohio

U.S. Magistrate Judge Elizabeth Preston Deavers

Printed name and title

## **AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Paul Mills, a Special Agent with Homeland Security Investigations, being first duly sworn, hereby depose and state as follows:

### **INTRODUCTION AND AGENT BACKGROUND**

1. Your Affiant is a sworn Special Agent with the United States Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). Your Affiant has been a Special Agent with DHS since June of 2010. Your Affiant has been assigned to the HSI Columbus office since November 2019, where your Affiant has been involved with narcotics investigations. Prior to becoming a Special Agent with HSI, your Affiant was a Detective at the Morrow County Sheriff's Office in Ohio beginning in February of 1998. Your Affiant has led and participated in numerous investigations of crimes involving drug smuggling, firearms trafficking, immigration, and other violations.
2. I am currently assigned to the Field Operations Group that investigates, arrests and criminally prosecutes criminal aliens unlawfully in the United States. I am a law enforcement officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in 18 U.S.C. § 2516(1) and 21 U.S.C. § 878. I am experienced with conducting surveillance, serving as the control agent for confidential sources, and investigating violations of the Immigration and Nationality Act (INA).
3. This affidavit is being submitted for the purpose of establishing probable cause that Milton Raul GUEVARA-Cruz has violated 8 U.S.C. §§ 1326(a) and (b)(1), Illegal Reentry of an Alien Removed Subsequent to a Felony Conviction.
4. The information in this affidavit is based on my personal knowledge, information provided by other law enforcement officers and individuals, and the reports and memoranda of other law enforcement officers. The information in this affidavit is provided for the limited purpose of establishing probable cause in connection with this application for a criminal complaint and an arrest warrant. This affidavit does not include all the information gathered during this investigation.

### **PROBABLE CAUSE – ILLEGAL REENTRY**

5. On or about February 21, 2025, a source advised the ICE/ERO Field Operations team in Columbus, Ohio, that Milton Raul GUEVARA-Cruz (DOB: 10/04/1993) was in the United States illegally. The source also stated that GUEVARA-Cruz is an 18<sup>th</sup> Street gang member and that he is living in Columbus, Ohio.
6. On or about February 21, 2025, the ICE/ERO Field Operations team conducted surveillance and identified GUEVARA-Cruz in Columbus, Ohio.

7. On or about March 4, 2025, the ICE/ERO Field Operations team once again conducted surveillance and identified GUEVARA-Cruz in Columbus, Ohio.
8. A search of immigration databases and a criminal history search revealed the following information:
  - (a) According to the A-file, GUEVARA-Cruz is a citizen of El Salvador and has no legal status in the United States. He is associated with Alien #205 505 619.
  - (b) On or about October 15, 2012, ICE Officers encountered GUEVARA-Cruz in Columbus, Ohio, after he was released from the Franklin County Jail. GUEVARA-Cruz claimed to have entered the United States illegally at an unknown place on an unknown date. GUEVARA-Cruz was served with a Notice to Appear under section 212(a)(6)(A)(i) of the INA. GUEVARA-Cruz was granted a voluntary departure and returned to El Salvador on or about August 15, 2013.
  - (c) On or about July 13, 2014, United States Border Patrol (USBP) Agents encountered GUEVARA-Cruz in the Rio Grande Valley, Texas Border Patrol Sector. After USBP determined that GUEVARA-Cruz was an alien who illegally entered the United States, he was arrested and transported to the McAllen Station for further processing. On or about September 22, 2014, GUEVARA-Cruz was physically removed from the United States.
  - (d) On or about November 14, 2017, ICE Officers encountered GUEVARA-Cruz when he was released from the Marion County Jail after serving a sentence for Domestic Battery. On or about December 15, 2017, GUEVARA-Cruz was physically removed from the United States.
  - (e) On or about March 30, 2019, USBP Agents encountered GUEVARA-Cruz in Sunland Park, New Mexico. On or about May 29, 2019, GUEVARA-Cruz was convicted of Illegal Reentry of a Removed Alien, in violation of 8 U.S.C. § 1326(a), in the United States District Court for the District of New Mexico. He was sentenced to three months of imprisonment and one year of unsupervised release. On or about July 24, 2019, GUEVARA-Cruz was physically removed from the United States.
9. A review of immigration records indicates that GUEVARA-Cruz did not apply for permission to reenter the United States prior to this entry from either the Attorney General of the United States or the Secretary of the Department of Homeland Security.
10. The SAFE Task Force in El Salvador identified GUEVARA-Cruz as a member of the Tyni Locos Sureños clique of the 18th Street gang. He has been arrested three times in El Salvador for "Illicit Associations."


**CONCLUSION**

11. I submit that the foregoing facts establish probable cause that GUEVARA-Cruz is an alien who was found in the Southern District of Ohio after having been removed from the United States following a conviction for a felony offense and who did not have consent from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States, in violation of 8 U.S.C. §§ 1326(a) and (b)(1).

**PAUL S MILLS** Digitally signed by PAUL S MILLS  
Date: 2025.03.06 10:08:08 -05'00'

Paul Mills  
Special Agent  
Homeland Security Investigations

Sworn to via telephone on this 6<sup>th</sup> day of March 2025 after submission of the Affidavit by reliable electronic means pursuant to Fed. R. Crim. P. 3, 4(d), and 4.1.

  
Elizabeth Preston Deavers  
United States Magistrate Judge  
Southern District of Ohio

